

## NONCUSTODIAL PARENT'S RIGHTS AND RESPONSIBILITIES

### THE DIVISION OF CHILD SUPPORT

The Division of Child Support (DCS):

1. Establishes and enforces child support orders.
2. Establishes and enforces medical support obligations.
3. Reviews child support orders for possible modification.
4. Receives, records, and distributes child support payments through the Washington State Support Registry (WSSR).

### NONCUSTODIAL PARENT

You are a noncustodial parent. A noncustodial parent is a natural father, adoptive father, natural mother, or adoptive mother who must provide financial support for dependent children. State and federal laws impose this duty.

### CHILD SUPPORT PAYMENTS

Usually, you will have to pay child support. After we serve you a notice requiring you to pay child support, we will not credit your account for payments made to anyone except WSSR, another state's child support agency or court, or a tribal court. Tell us immediately if another state's child support agency or another state's court asks you to make child support payments to them. Do not send payments to anyone other than the address listed above unless we tell you in writing that we closed your case. If you have to pay child support, send all payments to

WASHINGTON STATE SUPPORT REGISTRY  
PO BOX 45868  
OLYMPIA WA 98504-5868

If you have legal reasons for not providing financial support for your children or we mistakenly involved you in our process, tell us immediately.

### TYPES OF NOTICES

We served you with one or more of the following notices unless you have a court order that requires payment through WSSR and allows wage withholding.

1. *A Notice of Support Debt and Demand For Payment.* We use this notice when a child support order sets a child support debt in a fixed dollar amount but does not have the collection language needed.
2. *A Notice of Support Owed.* We use this notice when a child support order sets a child support debt in a variable dollar amount.
3. *A Notice and Finding of Financial Responsibility.* We use this notice to establish a child support order for the case. We set a child support amount based on the *Washington State Child Support Schedule*.
4. *A Notice and Finding of Parental Responsibility.* We use this notice when a father signs a *Paternity Affidavit* and there is no child support order for the case. We set a child support amount based on the *Washington State Child Support Schedule*.
5. *A Notice of Support Debt and Registration.* We use this notice when a tribal court, another state's court, or another state's child support agency asks us to register a child support order. When we register the child support order, we will enforce and possibly modify the order.
6. *A Notice and Finding of Medical Responsibility.* We use this notice to establish a medical support requirement when there is no child support order for the case.

## TYPES OF APPEALS

1. Conference Board. A conference board is an administrative (noncourt) DCS process that we use to resolve many disputes, explain policies, and clarify facts.
  - a. A conference board may review both court-ordered and noncourt-ordered child support cases.
  - b. A conference board may issue a decision without a meeting with you. If you have a meeting, you may discuss your case with higher management who may overrule prior DCS decisions. A conference board can change some actions taken by our staff but cannot change actions required by law.
  - c. We will tell both parties to your child support order when we receive a request for a conference board. Both parties may take part in the conference board.
2. Adjudicative Proceeding (hearing). A hearing is also an administrative (noncourt) process. A hearing is more formal than a conference board but less formal than a court action.
  - a. State law only offers a hearing for some situations. If we served you with a notice, the notice tells you if you have a right to a hearing. An Administrative Law Judge (ALJ) presides at a hearing. ALJs are not DCS employees.
  - b. In a hearing, an ALJ will review your case and rule on your dispute. To stop us from enforcing your child support order, you must ask for a hearing within 20 days (if we served the notice on you in Washington State) or within 60 days (if we served the notice on you outside Washington State) after you receive your notice.
    - (1) You can ask for a hearing after the 20 or 60 day limit. However, we will enforce your child support order until we receive a hearing decision. We will not refund any money collected while awaiting a hearing decision.
    - (2) If you ask for a hearing more than one year after you receive your notice, you will need to show *good cause* (a good reason for making a late request). The ALJ may not grant your late request. However, you may have a right to a modification of your future child support obligation even if you do not have a good reason for a late hearing request.
  - c. If you disagree with the ALJ's decision, you may ask for an administrative review of that ruling. You must ask for the administrative review within 21 days after the ALJ rules on your case.
    - (1) If you disagree with the administrative review decision, you may file an action in a state or tribal court. If you do so, you must serve notice of the action on the Secretary, Department of Social and Health Services, the Attorney General's office, and the other party to your child support order. You must serve these notices when you file the court action.
    - (2) We will enforce your child support order during your appeal to a state or tribal court unless the court orders us to stop.
  - d. If appropriate, we will tell both parties to your child support order when we receive a request for a hearing. All parties that we tell about the request for a hearing may take part in the hearing.

If you have questions, contact:

DIVISION OF CHILD SUPPORT

TTY/TDD services available for the speech or hearing impaired

No person, because of race, color, national origin, creed, religion, sex, age, or disability, shall be discriminated against in employment, services, or any aspect of the program's activities.